

BILL NO. R-97-⁰³-14

CONFIRMING RESOLUTION NO. R-18-97

**A CONFIRMING RESOLUTION designating
an "Economic Revitalization Area" under I.C.
6-1.1-12.1 for property commonly known as
3020 Commercial Drive, Fort Wayne, Indiana
46809 (Hydra-Tech, Inc.)**

WHEREAS, Common Council has previously designated and declared by Declaratory Resolution the following described property as an "Economic Revitalization Area" under Section 153.02 of the Municipal Code of the City of Fort Wayne, Indiana, of 1993, as amended and I.C. 6-1.1-12.1, to wit:

Attached hereto as "Exhibit A" as if a part herein; and

WHEREAS, said project will create four full-time, permanent jobs for a total additional payroll of \$100,000, with the average new annual job salary being \$25,000 and retain 108 full-time, permanent jobs for a current annual payroll of \$2,962,919, with the average current annual job salary being \$27,434; and

WHEREAS, the total estimated project cost is \$600,000; and

WHEREAS, recommendations have been received from the Committee on Finance and the Department of Economic Development concerning said Resolution; and

WHEREAS, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 and a public hearing has been conducted on said Resolution; and

1 **WHEREAS**, if said Resolution involves an area that has already been designated an
2 allocation area under I.C. 36-7-14-39, The Fort Wayne Redevelopment Commission has
3 adopted a Resolution approving the designation.

4 **NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF**
5 **THE CITY OF FORT WAYNE, INDIANA:**

6 **SECTION 1.** That, the Resolution previously designating the above described property
7 as an "Economic Revitalization Area" is confirmed in all respects.

8 **SECTION 2.** That, the hereinabove described property is hereby declared an
9 "Economic Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the
10 effective date of this Resolution and shall terminate on March 1, 1999.

11 **SECTION 3.** That, said designation of the hereinabove described property as an
12 "Economic Revitalization Area" shall apply to a deduction of the assessed value of real estate.

13 **SECTION 4.** That, the estimate of the number of individuals that will be employed or
14 whose employment will be retained and the estimate of the annual salaries of those individuals
15 and the estimate of the value of redevelopment or rehabilitation, all contained in Petitioner's
16 Statement of Benefits are reasonable and are benefits that can be reasonably expected to result
17 from the proposed described redevelopment or rehabilitation.

18 **SECTION 5.** The current year approximate tax rates for taxing units within the City
19 would be:

20 (a) If the proposed development does not occur, the approximate current year tax rates
21 for this site would be \$9.2453/\$100.
22
23
24
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1 (h) If the proposed development occurs and no deduction is granted, the approximate
2 current year tax rate for the site would be \$9.2453/\$100 (the change would be
3 negligible).

4 (c) If the proposed development occurs, and a deduction percentage of fifty percent
5 (50%) is assumed, the approximate current year tax rate for the site would be
6 \$9.2453/\$100 (the change would be negligible).

7 **SECTION 6.** Pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction
8 from the assessed value of the real property shall be for a period of ten years.

9 **SECTION 7.** The benefits described in the Petitioner's Statement of Benefits can be
10 reasonably expected to result from the project and are sufficient to justify the applicable
11 deductions.
12

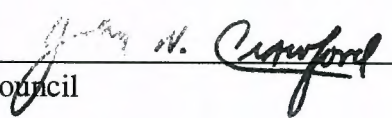
13 **SECTION 8.** For real property, a deduction application must contain a performance
14 report showing the extent to which there has been compliance with the Statement of Benefits
15 form approved by the Fort Wayne Common Council at the time of filing. This report must be
16 submitted to the Allen County Auditor's Office, and the City of Fort Wayne's Department of
17 Economic Development and must be included with the deduction application. For subsequent
18 years, the performance report must be updated within sixty days after the end of each year in
19 which the deduction is applicable.
20

21 **SECTION 9.** The performance report must contain the following information
22

- 23 A. The cost and description of real property improvements.
24 B. The number of employees hired through the end of the preceding calendar year as a
25 result of the deduction.
26 C. The total salaries of the employees hired through the end of the preceding calendar
27 year as a result of the deduction.
28 D. The total number of employees employed at the facility receiving the deduction.
29 E. The total assessed value of the real property deductions.

F. The tax savings resulting from the real property being abated.

SECTION 10. That, this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.



Member of Council

APPROVED AS TO FORM A LEGALITY



J. Timothy McCaulay, City Attorney

CERTIFICATE OF SURVEY

OFFICE OF:

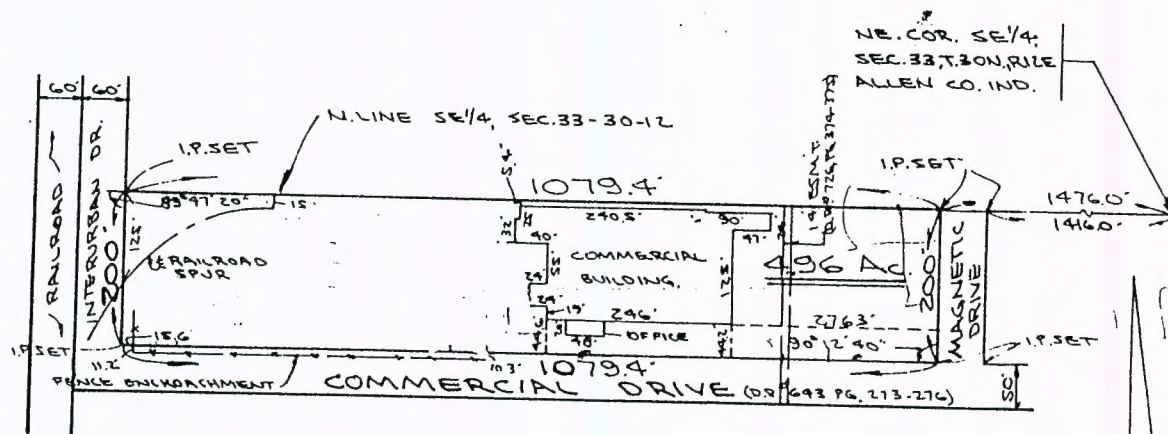
JOHN R. DONOVAN
 REGISTERED PROFESSIONAL CIVIL ENGINEER No. 9173 INDIANA
 REGISTERED LAND SURVEYOR No. 9921 INDIANA
 FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, ALLEN County, Indiana. No encroachments existed, except as noted below.

The description of the real estate is as follows, to wit: Part of the Southeast Quarter of Section 33, Township 30 North, Range 12 East, Allen County, Indiana, lying East of Interurban Drive and North of Commercial Drive, more particularly described as follows:

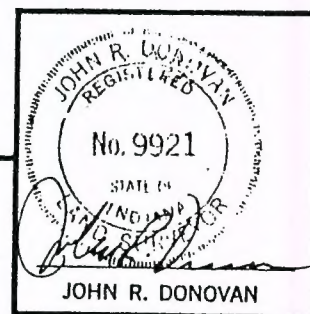
Beginning at a point on the North line of the Southeast Quarter of Section 33, Township 30 North, Range 12 East, Allen County, Indiana, said point being 1476.0 feet West of the Northeast corner of the SE $\frac{1}{4}$ of Sec. 33-30-12; thence West along the North line of the SE $\frac{1}{4}$ of Sec. 33-30-12 a distance of 1079.4 feet to a point on the East right of way line of Interurban Drive; thence South with a deflection angle to the left of 89 deg. 47 min. 20 sec. along the East right of way line of Interurban Drive a distance of 200.0 feet to a point on the North right of way line of Commercial Drive; thence East with a deflection angle to the left of 90 deg. 12 min. 40 sec. along the North right of way line of Commercial Drive a distance of 1079.4 feet to a point on the West right of way line of Magnetic Drive; thence North with a deflection angle to the left of 89 deg. 47 min. 20 sec. along the West right of way line of Magnetic Drive a distance of 200 feet to the point of beginning, containing 4.96 acres.



NOTE: According to the FIA Flood Hazard Boundary Maps, the above described real estate is not located in a flood hazard area.

JOB FOR: LEBRATO ENT.

1"=200'
 12-21-02
 REV. 2-10-03



DESCRIPTION

Part of the North Half of Section 33, Township 30 North, Range 12 East, Allen County, Indiana, together with part of the abandoned 60 foot-wide right-of-way of the Fort Wayne & Bluffton Electric Railway, all being more particularly described as follows, to wit:

Beginning on the East and West Quarter Section line of said Section 33 at a point situated 868.5 feet, by deed, Westerly of the Southeast corner of the Southwest Quarter of the Northeast Quarter of said Section 33, said point being also the Southwest corner of Lot #13 in Bridgedale Terrace, Section "D", the plat of which is recorded in Plat Book 42, pages 13 and 14 in the Office of the Recorder of Allen County, Indiana; thence N 89°-32' W (bearings in this description are based on a plat bearing of S 00°-17'-24" E for the West line of said Bridgedale Terrace, Section "D"), on and along said East and West Quarter Section line, a distance of 531.1 feet to the point of intersection of said Quarter Section line with the West line of the aforesaid right-of-way of the Fort Wayne & Bluffton Electric Railway; thence N 01°-03'-20" E, on and along said West line, being also the East right-of-way line of the Norfolk & Western Railroad, a distance of 721.0 feet; thence N 89°-41' E, a distance of 60.0 feet to a survey pin found at the Southwest corner of Lot #1 in Bradbury's 1st Addition to Waynedale, Indiana; thence N 55°-10' E, on and along the Southeasterly line of said Bradbury's 1st Addition, a distance of 540.5 feet (recorded 539.0 feet) to the Southeast corner of Lot #7 in said Bradbury's 1st Addition, being a point on the Westerly right-of-way line of Bradbury Avenue; thence S 34°-50'-48" E, on and along said Westerly right-of-way line, a distance of 16.0 feet to the North corner of Lot #10 in the aforesaid Bridgedale Terrace, Section "D"; thence S 00°-17'-24" E, on and along the West line of said Bridgedale Terrace, Section "D", a distance of 1021.0 feet (recorded 1024.0 feet) to the point of beginning, containing 10.319 acres of land, subject to all easements of record.

This property is in Zone C according to Flood Insurance Rate Map 180003 0020 B, effective April 3, 1985.

CERTIFICATE OF SURVEY

This document is a record of a resurvey of land and real estate prepared in conformity with established rules of surveying and made in accordance with the records or plat on file in the Recorder's office of Allen County, State of Indiana. The land described exists in full dimensions as shown hereon in feet. It is free from encroachments by adjoining land owners unless specifically stated below. Corners were perpetuated as indicated.

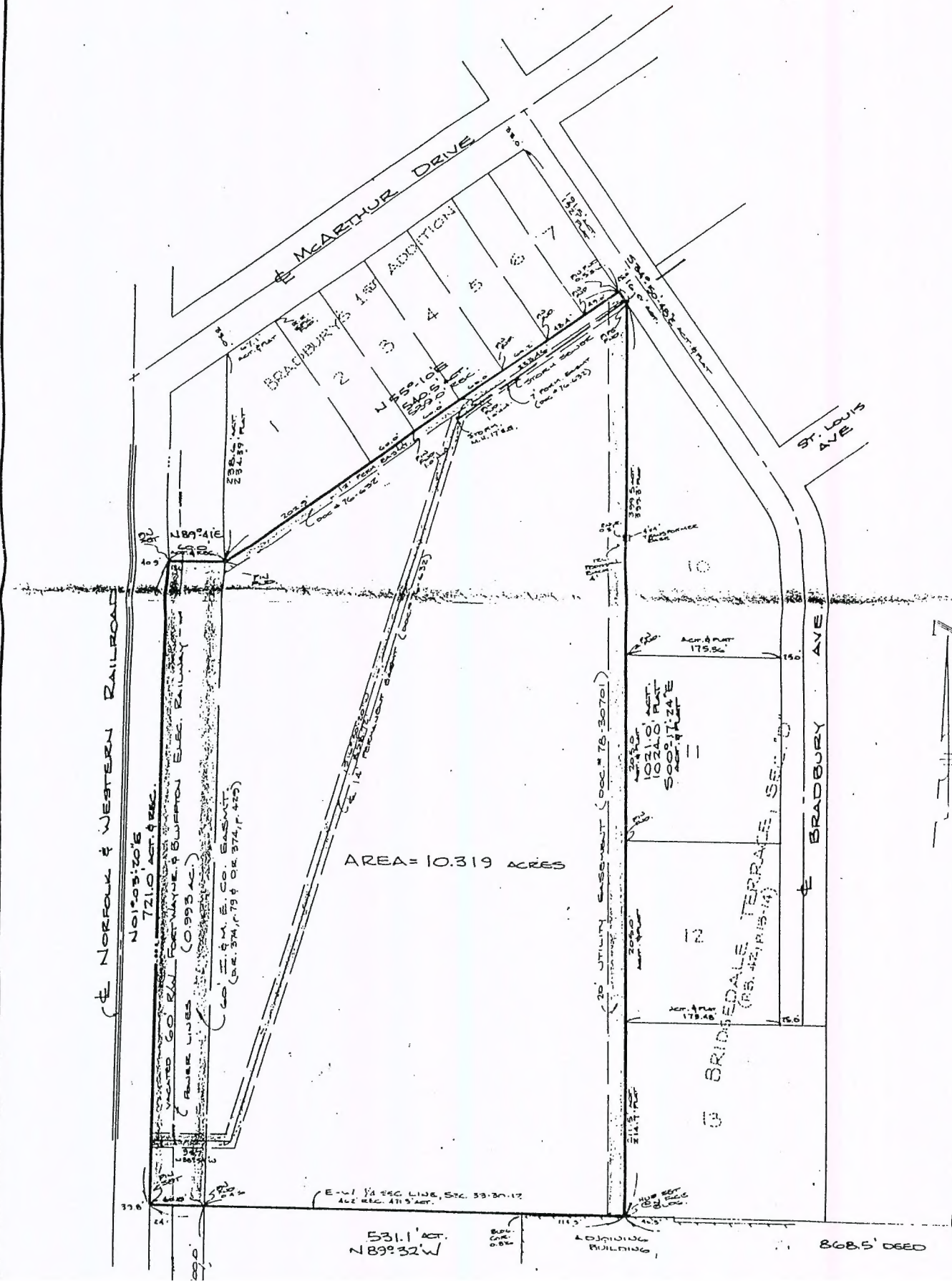
I hereby certify that the above survey is correct.

Zohrab K. Tajan
Registered Professional Civil Engineer and Land Surveyor



PART OF THE NORTH HALF OF SECTION
33, TOWNSHIP 30 NORTH, RANGE 12
EAST, ALLEN COUNTY, INDIANA.

SCALE: 1"=100' APPROVED BY



Read the first time in full and on motion by Crawford,
and duly adopted, read the second time by title and referred to the Committee on Finance,
(and the City Plan Commission for recommendation)
and Public Hearing to be held after due legal notice, at the Common Council Conference
Room 128, City-County Building, Fort Wayne, Indiana, on Tuesday
the 8th day of April, 19 97, at 5:30
o'clock PM, E.S.T.

DATED: 3-25-97

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Crawford,
and duly adopted, placed on its passage. PASSED
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>9</u>			
BENDER	<u>✓</u>			
CRAWFORD	<u>✓</u>			
EDMONDS	<u>✓</u>			
HALL	<u>✓</u>			
HAYHURST	<u>✓</u>			
HENRY	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			

DATED: 4-8-97

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana,
as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL)

(ZONING) ORDINANCE RESOLUTION NO. 9-18-97

on the 8th day of April, 19 97

ATTEST: Sandra E. Kennedy SEAL
SANDRA E. KENNEDY, CITY CLERK
Paul Helmke
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the
9th day of April, 19 97

at the hour of 11:00 o'clock AM, M., E.S.T.
Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 11th day
of April, 19 97, at the hour of 7:30
o'clock AM, E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE _____ Confirming Resolution _____

DEPARTMENT REQUESTING ORDINANCE _____ Department of Economic Development _____

SYNOPSIS OF ORDINANCE _____ This is to confirm the approval of an Economic Revitalization Area for Hydra-Tech, Inc. for real property improvements in the amount of \$600,000. In order to expand, Hydra-Tech, Inc. will build a 14,700 square foot office building and a 360 square foot service building. _____

EFFECT OF PASSAGE _____ Creation of four additional jobs with benefits. _____

EFFECT OF NON-PASSAGE _____ Loss of four additional jobs with benefits. _____

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____ No expenditure of public money will be involved. _____

ASSIGNED TO COMMITTEE (PRESIDENT) _____ Thomas Henry _____

BILL NO. R-97-03-14

REPORT OF THE COMMITTEE ON FINANCE

JOHN N. CRAWFORD - DONALD J. SCHMIDT - CO-CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON FINANCE Resolution TO WHOM
WAS REFERRED AN (~~ORDINANCE~~) (~~RESOLUTION~~) confirming designating
an "Economic REvitalization Area" under I.C. 6-1.1-12.1 for property commonly
known as 3020 Commercial Drive, Fort Wayne, Indiana (Hydra-Tech, Inc.)

HAVE HAD SAID (~~ORDINANCE~~) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(~~ORDINANCE~~) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

John N. Crawford
Donald J. Schmidt
OSD

Thomas E. Huffman

Martin A. Bunch

William J. Gandy

James E. Gandy

Leleee K. Rine

DATED: 4-8-97.

Sandra E. Kennedy
City Clerk



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

March 26, 1997

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of March 29, 1997, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Public Hearing
Bill No. R-97-03-13 & R-97-03-14
Bill No. R-97-03-15 & R-97-03-16
Revitalization Areas

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 2

NOTICE OF PUBLIC HEARING
FORT WAYNE
COMMON COUNCIL

(RESOLUTIONS NO. R-97-03-13 AND R-97-03-14)

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA, APPROVED A RESOLUTION ON 3-25-97,
DATE
DESIGNATING PROPERTY AT 3020 Commercial Road, Fort Wayne, Indiana
(HYDRA-TECH, INC.)

AN ECONOMIC REVITALIZATION AREA. A DESCRIPTION OF THE AFFECTED
AREA CAN BE INSPECTED IN THE COUNTY ASSESSOR'S OFFICE.

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER
THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND
CONFIRMED OR RESCINDED ON Tuesday, April 8, 1997, at 5:30 o'clock

DATE, TIME & PLACE
P.M., City-County Building, Common Council Conference Room 128, 1st Floor,
Fort Wayne, Indiana

IF CONFIRMED, SAID DESIGNATING SHALL CONTINUE FOR ONE (1)
YEAR AFTER CONFIRMATION.

ALL INTEREST PERSONS ARE INVITED TO ATTEND AND BE HEARD
AT THE PUBLIC HEARING.

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN
DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH STATE AND
FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION"
SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219)427-1120, TTY
(219)427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE
MEETING.

SANDRA E. KENNEDY
CITY CLERK

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

43

 lines,

1

 columns wide equals

43

 equivalent lines

at

.364

 cents per line

\$

15.65

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$

16.65

DATA FOR COMPUTING COST

Width of single column

12.5

 ems

Number of insertions

1

Size of type

6

 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date:

MARCH 29

, 19

97

Title:

Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Allen County)

personally appeared before me, a notary public in and for said county and state, the undersigned

JULIE L SMITH

 who, being duly sworn, says that he/ she is

Clerk

 of the

The Journal-Gazette

 newspaper of general circulation printed and published in the English language in the (city) (town) of

Fort Wayne, IN

 in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for

1

 time

3-29-97

, the dates of publication being as follows:

scribed and sworn to before me this

29th

 day of

MARCH

, 19

97

Mary L Schneider

Notary Public

MARY L SCHNEIDER

NOTARY PUBLIC STATE OF INDIANA

ALLEN COUNTY

MY COMMISSION EXP JUNE 14, 1997

NOTICE OF PUBLIC HEARING
FORT WAYNE
COMMON COUNCIL
RESOLUTIONS NO. R-97-03-13 AND R-97-03-14
NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, APPROVED A RESOLUTION ON 3-25-97, DESIGNATING PROPERTY AT 3020 Commercial Road, Fort Wayne, Indiana (HYDRA-TECH, INC.) IN ECONOMIC REVITALIZATION AREA. A DESCRIPTION OF THE AFFECTED AREA CAN BE INSPECTED IN THE COUNTY ASSESSOR'S OFFICE. COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED OR RESCINDED ON Tuesday, April 8, 1997, at 5:30 o'clock P.M., City-County Building, Common Council Conference room 128, 1st Floor, Fort Wayne, Indiana. IF CONFIRMED, SAID DESIGNATING SHALL CONTINUE FOR ONE (1) YEAR AFTER CONFIRMATION. ALL INTERESTED PERSONS ARE INVITED TO ATTEND AND BE HEARD AT THE PUBLIC HEARING.
"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH STATE AND FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION" SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219) 427-1120, TTY (219) 427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING.
SANDRA E. KENNEDY
CITY CLERK
389450

FW COMMON COUNCIL

(Governmental Unit)

To:

The News-Sentinel

Dr.

P.O. Box 100

Fort Wayne, IN

ALLEN

County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

43 lines, 1 columns wide equals 43 equivalent lines
at .364 cents per line

\$ 15.65

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 16.65

DATA FOR COMPUTING COST

Width of single column 12.5 emsNumber of insertions 1Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: MARCH 29, 19 97

Title:

Julie L Smith
Clerk

PUBLISHER'S AFFIDAVIT

NOTICE OF PUBLIC HEARING
FORT WAYNE
COMMON COUNCIL

(RESOLUTIONS NO. R-97-03-13 AND R-97-03-14)

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SANDRA E. KENNEDY
CITY CLERK
389450

3-29

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L SMITH who, being duly sworn, says that he/
he is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time, the dates of publication being as follows:

3-29-97

Julie L Smith
Subscribed and sworn to before me this 29th day of MARCH, 19 97.

Mary L Schneider
Notary Public

MARY L SCHNEIDER

NOTARY PUBLIC STATE OF INDIANA

ALLEN COUNTY

MY COMMISSION EXP JUNE 14, 1997

My commission expires: